

REMARKS

Status of the Application

Claims 1-38 were pending. The Office Action rejected claims 1, 12-14, 29 and 34-38 were rejected, and objected to claims 2-11 and 30-33. Claims 15-28 were allowed. By way of this amendment, claims 2, 12, 13, 30-33, 35 and 37 are amended, claims 1, 29 and 34 are canceled, and new claims 39 and 40 are added. Thus, claims 2-28, 30-33 and 35-40 are now pending.

Objection to the Drawings

The Office Action objected to Fig. 2. In particular, the Office Action stated that Fig. 2 does not include a reference character "42" and that the specification and Fig. 2 refer to a "multiplier 40" and an "accumulator 40." Further, the Office Action stated that the word "DESPREADER" in box 38 is misspelled.

Fig. 2 is amended to correct the errors noted in the Office Action. Withdrawal of the objection is respectfully requested.

Allowable Subject Matter

Applicants acknowledge with appreciation the allowance of claims 15-28 and the indication that dependent claims 2-11 and 30-33 would be allowable if rewritten in independent form.

With regard to claim 2, it is noted that the Office Action does not indicate that claim 2 was rejected, and the Office Action Summary sheet indicates that the Office Action merely objected to claim 2. Although paragraph 13 on page 8 of the Office Action does not list claim 2, it is assumed that the Examiner intended to include claim 2 as one of the dependent claims that would be allowable if rewritten in independent form.

Claim Rejections/Objections

Claims 1 and 13 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent App. Pub. No. 2003/0095588 A1 to Yellin et al. (Yellin). Claim 12 was rejected under 35 U.S.C. §103 as being unpatentable over Yellin in view of U.S. Patent No.

6,879,623 to Agami et al. Claim 14 was rejected under 35 U.S.C. §103 as being unpatentable over Yellin in view of U.S. Patent App. Pub. No. 2004/0174939 to Wang. Further, the Office Action objected to claims 2-11, which depend from claim 1, as being dependent upon a rejected base claim, but indicated they would be allowable if rewritten in independent form. In view of the amendments, reconsideration is respectfully requested.

Claim 1 is canceled.

Claim 2 has been rewritten in independent form, and claims 3-11 depend from claim 2. Thus, withdrawal of the objection to claims 2-11 is respectfully requested.

Also, claims 12-13 have been amended to depend from claim 2. Claim 14, which depends from claim 13, now also depends from claim 2. Thus, withdrawal of the rejections of claims 12-14 is respectfully requested.

Claim 29 was rejected under 35 U.S.C. §103 as being unpatentable over Yellin. Additionally, the Office Action objected to claims 30-33, which depend from claim 29, as being dependent upon a rejected base claim, but indicated they would be allowable if rewritten in independent form. In view of the amendments, reconsideration is respectfully requested.

Claim 29 is canceled.

Claims 30-33 have been rewritten in independent form. Thus, withdrawal of the objection to claims 30-33 is respectfully requested.

Claims 34 and 37 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent App. Pub. No. 2004/0136444 to Massicote et al. (Massicote) in view of U.S. Patent App. Pub. No. 2002/0136158 to Frank. Claim 35 was rejected under 35 U.S.C. §103 as being unpatentable over Massicote in view of Frank and in further view of Yellin. Claim 36 was rejected under 35 U.S.C. §103 as being unpatentable over Massicote in view of Frank in further view of Yellin, and in further view of U.S. Patent App. Pub. No. 2003/0022636 to Ylitalo et al. Claim 38 was rejected under 35 U.S.C. §103 as being unpatentable over

Massicote in view of Frank. In view of the amendments, reconsideration is respectfully requested.

Claim 34 has been canceled.

Claim 35 has been rewritten in independent form. Additionally, claim 35 has been amended to recite "said joint MMSE equalization and MUD despreading sequence having been generated based on a distribution of active users within a first group and a second group." It appears that that the Office Action admits that this element is not disclosed, taught or suggested by the applied documents. *See e.g.*, claim 15. Additionally, claims 36-38 depend from claim 35.

Thus, withdrawal of the rejections of claims 35-38 is respectfully requested.

Conclusion

The amendments have been made merely to expedite allowance of the application and have not been made to overcome any of the applied references. Applicants reserve the right to pursue in a continuation application any and all of the original claims that were canceled or amended.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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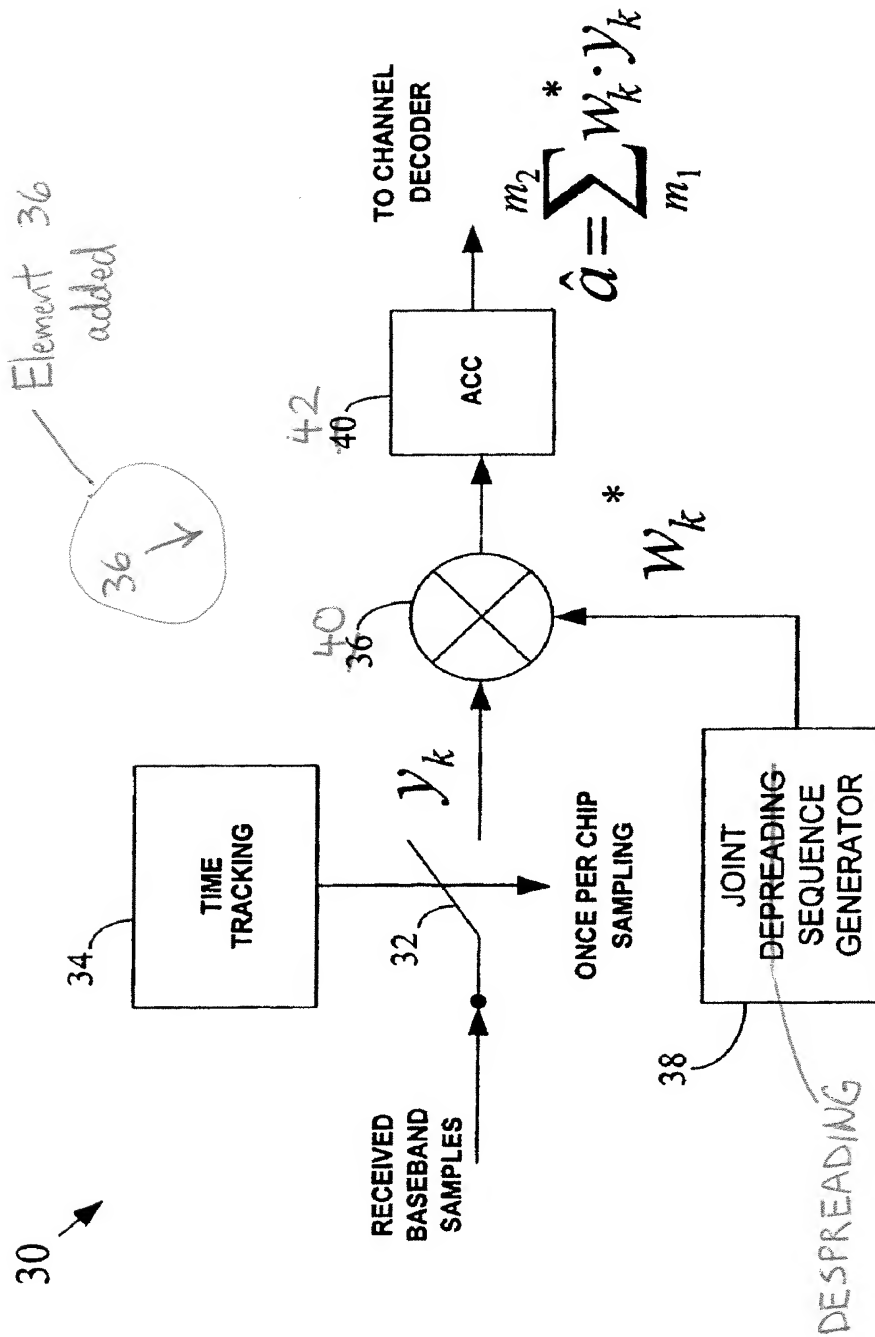


Fig. 2